

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LISA CASTAGNA and ANTHONY  
PENNINGTON, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

-against-

HAMPTON CREEK, INC.,

Defendant.  
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**FEUERSTEIN, District Judge:**

On October 17, 2016, the parties submitted a joint application seeking approval of a Settlement Agreement and Release (the “Settlement Agreement”). *See* Docket Entry (“DE”) [24]. In a December 6, 2016 Order, the Court denied the parties’ joint application on the grounds that “Section 4.1 of the Settlement Agreement, titled ‘Claims Released by Plaintiffs,’ [was] too broad to be considered fair and reasonable.” DE [25] at 2. The Court instructed the parties to either submit a revised settlement agreement or advise the Court that they intended to proceed with litigating this action. *Id.* at 3. On December 12, 2016, the parties submitted the instant joint application seeking approval of an Amendment to Settlement Agreement and Release (the “Amendment”). DE [27]. Having reviewed the Amendment, the Court finds that the Settlement Agreement is fair and reasonable as amended. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015); *Wolinsky v. Scholastic Inc.*, 900 F. Supp. 2d 332, 335 (S.D.N.Y. 2012) (requiring that a district court scrutinize an FLSA settlement agreement to determine that it is fair and reasonable). Therefore, the parties’ joint application is granted and the Settlement Agreement is approved as amended.

Dated: Central Islip, New York  
January 23, 2017

**SO ORDERED.**

s/ Sandra J. Feuerstein  
Sandra J. Feuerstein  
United States District Judge

FILED  
CLERK

3:49 pm, Jan 23, 2017

U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE

**ORDER**  
16-cv-760 (SJF)(AYS)